

**TIMOTHY J. RACICOT**

Assistant U.S. Attorney

U.S. Attorney's Office

P.O. Box 8329

Missoula, MT 59807

105 E. Pine, 2d Floor

Missoula, MT 59802

Phone: (406) 542-8851

Fax: (406) 542-1476

E-mail: Tim.Racicot2@usdoj.gov

**FILED**

SEP 17 2021

Clerk, U S District Court  
District Of Montana  
Billings

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**ATTORNEY FOR PLAINTIFF**  
**UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION**

**UNITED STATES OF AMERICA,**

Plaintiff,

vs.

**MATTHEW ANTHONY  
MARSHALL,**

Defendant.

**CR 20-32-M-DWM**

**SECOND SUPERSEDING  
INDICTMENT**

**WIRE FRAUD (Count I)**

Title 18 U.S.C. § 1343

(Penalty: 20 years imprisonment, \$250,000 fine, and three years supervised release)

**MONEY LAUNDERING (Counts II-VII)**

Title 18 U.S.C. § 1957

(Penalty: Ten years imprisonment, \$250,000 fine, three years supervised release)

**TAX EVASION (Counts VIII-X)**

Title 26 U.S.C. § 7201

(Penalty: Five years imprisonment, \$100,000 fine, and three years supervised release)

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	<b>AGGRAVATED IDENTITY THEFT (Count XI)</b> <b>Title 18 U.S.C. § 1028A(a)(1)</b> <b>(Penalty: Mandatory minimum two years imprisonment, consecutive to the term imposed on Count I, \$250,000 fine, and one year supervised release)</b>
	<b>FORFEITURE</b> <b>Title 18 U.S.C. § 981(a)(1)(C)</b> <b>Title 28 U.S.C. § 2461(c)</b> <b>Title 18 U.S.C. § 982(a)(1)</b>

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THE GRAND JURY CHARGES:

**COUNT I**  
**THE SCHEME TO DEFRAUD**

Beginning on or about April 20, 2013, and continuing until in or about December 2018, at Whitefish, within Flathead County, in the State and District of Montana, and elsewhere, the defendant, MATTHEW ANTHONY MARSHALL, with the intent to defraud, knowingly devised a scheme and plan for obtaining money and property by means of material false and fraudulent pretenses, representations, promises, and omissions, and in doing so caused wire communications to be transmitted in interstate commerce.

To execute the scheme, the defendant, MATTHEW ANTHONY MARSHALL, convinced John Doe (true name withheld to protect privacy) he was a former CIA agent and a former member of an elite Force Reconnaissance unit in the United States Marine Corps who had engaged in covert missions around the world. In truth and in fact, MARSHALL was never employed as a CIA agent and

never employed, deployed or otherwise associated with an elite Force Reconnaissance unit in the United States Marine Corps.

To further execute the scheme, MARSHALL asked John Doe to fund “off the books” missions for the CIA, which MARSHALL said would involve assault teams that he would lead on rescue and other operations in foreign countries.

Based on MARSHALL’s material false and fraudulent pretenses, representations, promises, and omissions, John Doe wired large sums of money to MARSHALL on at least six separate occasions, all under the guise of funding missions described by MARSHALL. The total amount provided by John Doe to MARSHALL for the “missions” was approximately \$2,355,000. MARSHALL did not conduct any of the “missions” and used the money he received from John Doe for personal living expenses, personal travel, and loans and gifts to friends and business associates.

#### INTERSTATE WIRE

On or about March 21, 2016, at Whitefish, within Flathead County, in the State and District of Montana, the defendant, MATTHEW ANTHONY MARSHALL, for the purpose of executing the aforementioned scheme, knowingly caused to be transmitted in interstate commerce a wire communication, specifically an online communication from John Doe in Montana to Wells Fargo Bank in California, which prompted a wire transfer of \$255,000 from Wells Fargo Bank in

California to MARSHALL's checking account at Old National Bank in Indiana, account number ending in 9053, in violation of 18 U.S.C. § 1343.

COUNT II

On or about January 20, 2016, at Whitefish, in Flathead County, in the State and District of Montana, the defendant, MATTHEW ANTHONY MARSHALL, knowingly engaged in a monetary transaction by, through, and to a financial institution, with criminally derived property of a value greater than \$10,000, affecting interstate and foreign commerce, that is, he transferred \$300,000 from his Wells Fargo Bank savings account, account number ending in 8645, to his Wells Fargo Bank checking account, account number ending in 5396, such money having been derived from specified unlawful activity, that is the wire fraud scheme as described in count I, in violation of 18 U.S.C. § 1957.

COUNT III

On or about January 20, 2016, at Whitefish, in Flathead County, in the State and District of Montana, the defendant, MATTHEW ANTHONY MARSHALL, knowingly engaged in a monetary transaction by, through, and to a financial institution, with criminally derived property of a value greater than \$10,000, affecting interstate and foreign commerce, that is, he presented check number 1725, drawn on his Wells Fargo Bank account, account number ending in 5396, in the amount of \$300,000, to High Threat Concealment, such money having been

derived from specified unlawful activity, that is the wire fraud scheme as described in count I, in violation of 18 U.S.C. § 1957.

COUNT IV

On or about February 12, 2016, at Whitefish, in Flathead County, in the State and District of Montana, the defendant, MATTHEW ANTHONY MARSHALL, knowingly engaged in a monetary transaction by, through, and to a financial institution, with criminally derived property of a value greater than \$10,000, affecting interstate and foreign commerce, that is, he presented check number 1737, drawn on his Wells Fargo Bank account, account number ending in 5396, in the amount of \$37,697, to Eisinger Motors, such money having been derived from specified unlawful activity, that is the wire fraud scheme as described in count I, in violation of 18 U.S.C. § 1957.

COUNT V

On or about April 5, 2016, at Kalispell, in Flathead County, in the State and District of Montana, the defendant, MATTHEW ANTHONY MARSHALL, knowingly engaged in a monetary transaction by, through, and to a financial institution, with criminally derived property of a value greater than \$10,000, affecting interstate and foreign commerce, that is, he deposited \$200,000 into his Wells Fargo Bank savings account, account number ending in 8645, such money

having been derived from specified unlawful activity, that is wire fraud as described in count I, in violation of 18 U.S.C. § 1957.

COUNT VI

On or about April 29, 2016, at Kalispell, in Flathead County, in the State and District of Montana, the defendant, MATTHEW ANTHONY MARSHALL, knowingly engaged in a monetary transaction by, through, and to a financial institution, with criminally derived property of a value greater than \$10,000, affecting interstate and foreign commerce, that is, he transferred \$140,000 from his Wells Fargo Bank savings account, account number ending in 8645, to his Wells Fargo Bank checking account, account number ending in 5396, such money having been derived from specified unlawful activity, that is wire fraud as described in count I, in violation of 18 U.S.C. § 1957.

COUNT VII

On or about April 29, 2016, at Whitefish, in Flathead County, in the State and District of Montana, the defendant, MATTHEW ANTHONY MARSHALL, knowingly engaged in a monetary transaction by, through, and to a financial institution, with criminally derived property of a value greater than \$10,000, affecting interstate and foreign commerce, that is, he presented check 1776, drawn on his Wells Fargo Bank checking account, account number ending in 5396, in the amount of \$132,000, to John Maguire, which constituted a loan to Maguire, such

money having been derived from specified unlawful activity, that is wire fraud as described in count I, in violation of 18 U.S.C. § 1957.

COUNT VIII

That on or about January 5, 2015, at Whitefish, in Flathead County, in the State and District of Montana, the defendant, MATTHEW ANTHONY MARSHALL, did willfully attempt to evade and defeat a large part of the income tax due and owing by him to the United States of America for the calendar year 2013, by filing and causing to be filed with the Internal Revenue Service a false and fraudulent United States Individual Income Tax Return, Form 1040, wherein he failed to report all his taxable income for the calendar year 2013, and as he then and there well knew and believed, there was an additional tax due and owing to the United States of America, resulting in a loss to the United States of America of approximately \$356,756, in violation of 26 U.S.C. § 7201.

COUNT IX

That on or about February 16, 2015, at Whitefish, in Flathead County, in the State and District of Montana, the defendant, MATTHEW ANTHONY MARSHALL, did willfully attempt to evade and defeat a large part of the income tax due and owing by him to the United States of America for the calendar year 2014, by filing and causing to be filed with the Internal Revenue Service a false and fraudulent United States Individual Income Tax Return, Form 1040, wherein

he failed to report all his taxable income for the calendar year 2014, and as he then and there well knew and believed, there was an additional tax due and owing to the United States of America, resulting in a loss to the United States of America of approximately \$153,992, in violation of 26 U.S.C. § 7201.

COUNT X

That on or about April 28, 2016, at Whitefish, in Flathead County, in the State and District of Montana, the defendant, MATTHEW ANTHONY MARSHALL, did willfully attempt to evade and defeat a large part of the income tax due and owing by him to the United States of America for the calendar year 2015, by filing and causing to be filed with the Internal Revenue Service a false and fraudulent United States Individual Income Tax Return, Form 1040, wherein he failed to report all his taxable income for the calendar year 2015, and as he then and there well knew and believed, there was an additional tax due and owing to the United States of America, resulting in a loss to the United States of America of approximately \$294,714, in violation of 26 U.S.C. § 7201.

COUNT XI

On or about November 30, 2018, at Whitefish, in Flathead County, in the State and District of Montana, the defendant, MATTHEW ANTHONY MARSHALL, did knowingly use, without lawful authority, a means of identification of another person, Jane Doe's name and email address (true name

withheld to protect privacy), during and in relation to a felony violation of 18 U.S.C. § 1343, wire fraud, as charged in count I, in violation of 18 U.S.C. § 1028A(a)(1).

#### FORFEITURE

Upon conviction of the wire fraud offense set forth in count I, the defendant, MATTHEW ANTHONY MARSHALL, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offense.

The United States of America, pursuant to 21 U.S.C. § 853(p), shall be entitled to forfeiture of substitute property if any of the property that is subject to forfeiture:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty.

Upon conviction of the money laundering offenses set forth in counts II through VII of this indictment, the defendant, MATTHEW ANTHONY MARSHALL, shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(1),

all right, title, and interest in property, real and personal, involved in said violations, or any property traceable to such property.

The United States of America, pursuant to 21 U.S.C. § 853(p), shall be entitled to forfeiture of substitute property if any of the property that is subject to forfeiture:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty.

A TRUE BILL.

Foreperson signature redacted. Original document filed under seal.

  
LEIF M. JOHNSON  
Acting United States Attorney

 FOREPERSON

  
JOSEPH E. THAGGARD  
Criminal Chief Assistant U.S. Attorney

10/14/21 ~ 2:30 pm  
Crim. Summons ✓ M - KLD  
Warrant: \_\_\_\_\_  
Bail: \_\_\_\_\_